

Exhibit 2

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

ANDREW L. COLBORN,

Plaintiff,

v.

Case No. 19-CV-484

NETFLIX, INC.,
CHROME MEDIA, LLC, f/k/a
SYNTHESIS FILMS, LLC,
LAURA RICCIARDI, and
MOIRA DEMOS,

Defendants.

OBJECTION TO DEFENDANT NETFLIX, INC.'S SUPPOENA TO ATTORNEY
MICHAEL GRIESBACH

Michael Griesbach by his attorneys, Mayer, Graff & Wallace, LLP, hereby objects to Defendant Netflix, Inc.'s subpoena for the production of documents pursuant to Fed. R. Civ. P. 45. The objections include, but are not limited to:

1. Mr. Griesbach is counsel of record for plaintiff Andrew L. Colborn. Defendant Netflix, Inc. ("Netflix") has served a subpoena pursuant to Rule 45 on Michael Griesbach ("Griesbach") for a barrage of information related to a number of books that Mr. Griesbach wrote about his impressions of the Netflix Series *Making a Murderer* and the subjects discussed within the series. See generally Subpoena. Mr. Griesbach is not a witness in this matter, nor should he be permitted to become one as it simply would not further this matter. Mr. Griesbach's books are simply his own impression of the issues and have no bearing on this case.

2. The evidence is not relevant pursuant to Fed. R. Civ. P. 401. Mr. Griesbach's books are based entirely on his own impressions of publicly available records. There is nothing which Mr. Griesbach could provide in this matter that would further this matter and nothing which is original evidence. Fed. R. Civ. P. 401 provides that evidence is relevant if "it has any tendency to make a fact more or less probable than it would be without the evidence; and the fact of consequence in determining the action." The evidence which Netflix seeks is not relevant per this standard. Mr. Griesbach relied exclusively on publicly available records, the same records that the Netflix series is based on. There is simply nothing which Mr. Griesbach could provide which is not already available to Netflix, and thus nothing that would have any tendency to make a fact more or less probable.

3. The requested information is protected because of its proprietary nature.
4. These requests seek evidence that is otherwise available.
5. These requests seek information and material that could never be admitted into evidence.
6. These requests are over-broad and unduly burdensome.
7. Mr. Griesbach has no special knowledge concerning the evidence in the Halbach investigation. He relied on publicly available documents including court filings, the Court's written decisions and orders, hearing transcripts from court proceedings including the transcripts from the 6-week long jury trial, and the transcripts from Netflix's *Making a Murderer*.
8. All the evidence is available to the defendants without the obvious effort to turn a plaintiff's attorney into a witness for its prejudicial effect.

Dated 24th day of February, 2022.

MAYER, GRAFF & WALLACE LLP

/s/ John F. Mayer

By: _____

John F. Mayer
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